

### **REMARKS/ARGUMENTS**

The Applicants originally submitted Claims 1-20 in the application. In previous responses, the Applicants amended Claims 1-12 and 14-20. In the present response, the Applicants have amended Claims 1, 7-8, 15 and 17. Support for the amendment can be found in paragraphs 13, 18-19 and Figure 2 of the original specification. Presently, no claims have been added or canceled. Accordingly, Claims 1-20 are currently pending in the application.

#### **I. Objection to the Drawings**

The Examiner has objected to the drawings for multiple reasons. In response, the Applicants have amended FIG. 2 per Replacement Sheet 2/2 to include labels and have amended the specification to correspond to the Figures. As such, the Applicants respectfully request the Examiner to withdraw the objection to the drawings.

#### **II. Rejection of Claim 7 under 35 U.S.C. §112**

The Examiner has rejected Claim 7 under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement. Claim 7, however, has been amended to render this rejection moot. The Applicants, therefore, respectfully request the Examiner to withdraw the rejection and allow issuance of Claim 7.

#### **III. Rejection of Claims 1-5 and 8-12 under 35 U.S.C. §102**

The Examiner has rejected Claims 1-5 and 8-12 under 35 U.S.C. §102(b) for being anticipated by U.S. Patent No. 5,772,586 to Heinonen. The Applicants respectfully disagree since

Heinonen does not disclose a portion of a vital sign measuring system includes a series of computer program instructions adapted to be executed on a processor of a mobile telephone as recited in amended independent Claim 1. On the contrary, Heinonen discloses measuring unit 11 that can be attached to a mobile phone via the battery space thereof. (*See* column 4, lines 56-58, column 5, lines 21-23 and Figures 2-3.) The measuring unit 11 includes an electronic section 20 that allows the measuring unit 11 to be disconnected from the mobile phone when performing measurements. (*See* column 5, lines 40-53 and Figure 3.) Thus, Heinonen discloses a measuring unit 11 that performs measurements independent of the mobile phone. As such, Heinonen fails to teach a portion of a vital sign measuring system includes a series of computer program instructions adapted to be executed on a processor of a mobile telephone.

Heinonen, therefore, fails to teach each element of amended independent Claim 1. Similarly, regarding amended independent Claim 8, the Applicants also do not find where Heinonen discloses controlling a vital sign measuring system that includes a series of computer program instructions adapted to be executed on a processor of a mobile telephone. As such, Heinonen does not anticipate Claims 1 and 8 and Claims dependent thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102 rejection with respect to Claims 1-5 and 8-12 and allow issuance thereof.

#### **IV. Rejection of Claims 6-7, 13-20 under 35 U.S.C. §103**

The Examiner rejected Claims 6-7, 13-20 under 35 U.S.C. §103(a) as being unpatentable over Heinonen in view of U.S. Patent No. 6,112,103 to Puthuff, *et al.* The Applicants respectfully disagree.

As discussed above, Heinonen does not teach each limitation of independent Claims 1 and 8. Additionally, Heinonen does not suggest each element of independent Claims 1 and 8 but instead discloses a measuring unit 11 that is a separate component from a mobile phone. Heinonen clearly indicates that the measuring unit 11 is independent from the mobile phone. (*See* column 5, lines 6-13, and lines 40-53.) Thus, Heinonen does not teach or suggest each element as recited in amended independent Claims 1 and 8.

Puthuff was cited by the Examiner to teach the subject matter of dependent Claim 6 and 13-14. (*See* Examiner's Rejection, page 7.) The Applicants do not find where the cited combination of Heinonen and Puthuff teaches or suggests each element of amended independent Claims 1 and 8. As such, the Applicants do not see where the cited combination provides a *prima facie* case of obviousness of amended independent Claims 1 and 8 and Claims dependent thereon. The cited combination, therefore, does not render dependent Claims 6-7 and 13-14 unpatentable.

Regarding independent Claim 15, the Applicants do not find where the cited combination of Heinonen and Puthuff teach or suggest a mobile telephone including a processor, shared by the mobile telephone and a vital sign measurement system, configured to control a body temperature sensor, a blood pressure sensor and a pulse detector via a control circuitry when the vital sign measurement system is activated as recited in amended independent Claim 15. The Applicants respectfully request the Examiner to indicate otherwise if the Examiner disagrees. As such, the cited combination does not provide a *prima facie* case of obviousness of amended independent Claim 15 and Claims dependent thereon. Accordingly, the Applicants respectfully request the Examiner withdraw the §103(a) rejection of Claims 6-7 and 13-20 and allow issuance thereof.

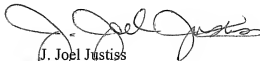
**V. Conclusion**

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-20.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

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Dated: April 12, 2007

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